

Illinois Department of Public Health

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:  <b>IL6003768</b>	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____  B. WING _____	(X3) DATE SURVEY COMPLETED  <b>C</b> <b>04/30/2021</b>
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NAME OF PROVIDER OR SUPPLIER  <b>APERION CARE MASCOUTAH</b>	STREET ADDRESS, CITY, STATE, ZIP CODE <b>901 NORTH TENTH STREET MASCOUTAH, IL 62258</b>
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S 000	Initial Comments  Complaint investigation 2142512/IL132737	S 000		
S9999	Final Observations  Statement of Licensure Violations:  300.625a) 300.625b) 300.625c)1)2) 300.625d) 300.625e) 300.625f) 300.6251)2)3)A)B)4) 300.625g) 300.625h) 300.625i) 300.625j) 300.625l) 300.625m) 300.625n) 300.625o) 300.625p) 300.625q)  Section 300.625 Identified Offenders  a) The facility shall review the results of the criminal history background checks immediately upon receipt of these checks.  b) The facility shall be responsible for taking all steps necessary to ensure the safety of residents while the results of a name-based background check or a fingerprint-based check are pending; while the results of a request for a waiver of a fingerprint-based check are pending; and/or while the Identified Offender Report and	S9999	<p><b>Attachment A</b> <b>Statement of Licensure Violations</b></p>	

Illinois Department of Public Health LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE	TITLE	(X6) DATE
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S9999	<p>Continued From page 1</p> <p>Recommendation is pending.</p> <p>c) If the results of a resident's criminal history background check reveal that the resident is an identified offender as defined in Section 1-114.01 of the Act, the facility shall do the following:</p> <p>1) Immediately notify the Department of State Police, in the form and manner required by the Department of State Police, that the resident is an identified offender.</p> <p>2) Within 72 hours, arrange for a fingerprint-based criminal history record inquiry to be requested on the identified offender resident. The inquiry shall be based on the subject's name, sex, race, date of birth, fingerprint images, and other identifiers required by the Department of State Police. The inquiry shall be processed through the files of the Department of State Police and the Federal Bureau of Investigation to locate any criminal history record information that may exist regarding the subject. The Federal Bureau of Investigation shall furnish to the Department of State Police, pursuant to an inquiry under this subsection (c)(2), any criminal history record information contained in its files.</p> <p>d) The facility shall comply with all applicable provisions contained in the Uniform Conviction Information Act.</p> <p>e) All name-based and fingerprint-based criminal history record inquiries shall be submitted to the Department of State Police electronically in the form and manner prescribed by the Department of State Police. The Department of State Police may charge the facility a fee for processing name-based and fingerprint-based criminal history record inquiries. The fee shall be</p>	S9999		
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S9999	<p>Continued From page 2</p> <p>deposited into the State Police Services Fund. The fee shall not exceed the actual cost of processing the inquiry. (Section 2-201.5(c) of the Act)</p> <p>f) If identified offenders are residents of a facility, the facility shall comply with all of the following requirements:</p> <p>1) The facility shall inform the appropriate county and local law enforcement offices of the identity of identified offenders who are registered sex offenders or are serving a term of parole, mandatory supervised release or probation for a felony offense who are residents of the facility. If a resident of a licensed facility is an identified offender, any federal, State, or local law enforcement officer or county probation officer shall be permitted reasonable access to the individual resident to verify compliance with the requirements of the Sex Offender Registration Act, to verify compliance with the requirements of Public Act 94-163 and Public Act 94-752, or to verify compliance with applicable terms of probation, parole, or mandatory supervised release. (Section 2-110(a-5) of the Act) Reasonable access under this provision shall not interfere with the identified offender's medical or psychiatric care.</p> <p>2) The facility staff shall meet with local law enforcement officials to discuss the need for and to develop, if needed, policies and procedures to address the presence of facility residents who are registered sex offenders or are serving a term of parole, mandatory supervised release or probation for a felony offense, including compliance with Section 300.695 of this Part.</p> <p>3) Every licensed facility shall provide to every</p>	S9999		

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S9999	<p>Continued From page 3</p> <p>prospective and current resident and resident's guardian, and to every facility employee, a written notice, prescribed by the Department, advising the resident, guardian, or employee of his or her right to ask whether any residents of the facility are identified offenders. The facility shall confirm whether identified offenders are residing in the facility.</p> <p>A) The notice shall also be prominently posted within every licensed facility.</p> <p>B) The notice shall include a statement that information regarding registered sex offenders may be obtained from the Illinois State Police website, <a href="http://www.isp.state.il.us">www.isp.state.il.us</a>, and that information regarding persons serving terms of parole or mandatory supervised release may be obtained from the Illinois Department of Corrections website, <a href="http://www.idoc.state.il.us">www.idoc.state.il.us</a>. (Section 2-216 of the Act)</p> <p>4) If the identified offender is on probation, parole, or mandatory supervised release, the facility shall contact the resident's probation or parole officer, acknowledge the terms of release, update contact information with the probation or parole office, and maintain updated contact information in the resident's record. The record must also include the resident's criminal history record.</p> <p>g) Facilities shall maintain written documentation of compliance with Section 300.615 of this Part.</p> <p>h) Facilities shall annually complete all of the steps required in subsection (f) of this Section for identified offenders. This requirement does not apply to residents who have not been discharged from the facility during the previous 12 months.</p>	S9999		

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S9999	<p>Continued From page 4</p> <p>i) For current residents who are identified offenders, the facility shall review the security measures listed in the Identified Offender Report and Recommendation provided by the Department of the State Police.</p> <p>j) Upon admission of an identified offender to a facility or a decision to retain an identified offender in a facility, the facility, in consultation with the medical director and law enforcement, shall specifically address the resident's needs in an individualized plan of care.</p> <p>k) The facility shall incorporate the Identified Offender Report and Recommendation into the identified offender's care plan. (Section 2-201.6(f) of the Act)</p> <p>l) If the identified offender is a convicted (see 730 ILCS 150/2) or registered (see 730 ILCS 150/3) sex offender or if the Identified Offender Report and Recommendation prepared pursuant to Section 2-201.6(a) of the Act reveals that the identified offender poses a significant risk of harm to others within the facility, the offender shall be required to have his or her own room within the facility subject to the rights of married residents under Section 2-108(e) of the Act. (Section 2-201.6(d) of the Act)</p> <p>m) The facility's reliance on the Identified Offender Report and Recommendation prepared pursuant to Section 2-201.6(a) of the Act shall not relieve or indemnify in any manner the facility's liability or responsibility with regard to the identified offender or other facility residents.</p> <p>n) The facility shall evaluate care plans at least quarterly for identified offenders for appropriateness and effectiveness of the portions</p>	S9999		

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S9999	<p>Continued From page 5</p> <p>specific to the identified offense and shall document such review. The facility shall modify the care plan if necessary in response to this evaluation. The facility remains responsible for continuously evaluating the identified offender and for making any changes in the care plan that are necessary to ensure the safety of residents.</p> <p>o) Incident reports shall be submitted to the Division of Long-Term Care Field Operations in the Department's Office of Health Care Regulation in compliance with Section 300.690 of this Part. The facility shall review its placement determination of identified offenders based on incident reports involving the identified offender. In incident reports involving identified offenders, the facility shall identify whether the incident involves substance abuse, aggressive behavior, or inappropriate sexual behavior, as well as any other behavior or activity that would be reasonably likely to cause harm to the identified offender or others. If the facility cannot protect the other residents from misconduct by the identified offender, then the facility shall transfer or discharge the identified offender in accordance with Section 300.3300 of this Part.</p> <p>p) The facility shall notify the appropriate local law enforcement agency, the Illinois Prisoner Review Board, or the Department of Corrections of the incident and whether it involved substance abuse, aggressive behavior, or inappropriate sexual behavior that would necessitate relocation of that resident.</p> <p>q) The facility shall develop procedures for implementing changes in resident care and facility policies when the resident no longer meets the definition of identified offender.</p>	S9999		

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S9999	<p>Continued From page 6</p> <p>This REQUIREMENT was not met as evidenced by:</p> <p>Based on observation, interview and record review the Facility failed to ensure resident's criminal background checks were being completed for 3 of 6 residents (R1, R2, R4) reviewed for background checks in the sample of 7.</p> <p>Findings include:</p> <p>On 4/29/2021 at 8:18 AM, the Facility was not displaying any "Identified Offenders Sign" and it was not was posted in the Facility.</p> <p>On 4/29/2021 at 10:00 AM, laughter could be heard from the children from the school as the Facility is across the street from a school.</p> <p>On 4/30/2021 at 9:01 AM, V1, Administrator, stated she was new to the Facility and was in the process of trying to find the background checks for R1, R2, R3, R4, R5, and R6.</p> <p>On 4/29/2021 at 9:22 AM, the Facility provided a list of identified offenders residing in the facility which included R1, R2, R3, R4, R5, and R6</p> <p>On 4/29/2021 at 8:45 AM, V6, Business Office Manager, stated, "I do the background checks for staff and (V5), Social Service, does the background checks for residents but she is not here today."</p> <p>On 4/30/2021 at 9:03 AM, V1, Administrator, stated (V5) was in charge of the resident background checks but had only been in the position for 5 days. We are all new and learning."</p>	S9999		

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S9999	<p>Continued From page 7</p> <p>1. R1's Facesheet document R1 was admitted to the Facility on 5/23/2020. R1's electronic records document a Background check was requested on 5/22/2020 but no actual background papers were scanned and in the computer and there was no documentation or proof of the report being completed before R1 entered the Facility.</p> <p>R1's State Police Criminal History Background check completed by the Facility dated 3/24/2021 documents a R1 has a "Hit" and R1 was documented as an identified offender.</p> <p>R1's Fingerprint Consent Release undated and with the box at the top documenting "The fingerprint was completed on (no date) and (no time)." The Fingerprint consent Release was not signed by R1 and was incomplete. Applicant signature was left blank.</p> <p>R1's Care Plan does not document R1 is an identified offender and there were no portions specific to the identified offense and or any goals and measures or target goals for R1.</p> <p>2. R2's Facesheet documents R2 was admitted to the Facility on 12/31/2019.</p> <p>R2's Fingerprint Consent Release was undated and with the box at the top documenting "The fingerprint was completed on (no date) and (no time)." The Fingerprint consent Release was signed by R2 on 3/22/2021.</p> <p>R2's State Police Criminal History Background check dated 3/15/2021 documents R2 has a "Hit" and was documented as an identified offender. R2's Admit date was 12/31/2019.</p> <p>3. R4's Facesheet documents R4 was admitted to</p>	S9999		
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S9999	<p>Continued From page 8 the Facility on 9/17/2020.</p> <p>R4's State Police Criminal History Background check, dated 10/29/2020, documents R4 has a "Hit" and was documented as an identified offender after R4 was in the Facility.</p> <p>R1's Care Plan does not document R4 is an identified offender and there were no portions specific to his identified offense and or any goals and measures or target goals for R1.</p> <p>On 4/30/2021 at 11:13 AM, V1, Administrator, stated she expected all background checks to be completed before the residents entered the Facility and she was not aware of any Background check Policy."</p> <p>(C)</p>	S9999		